



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

**Transmitted via Electronic Mail**

November 10, 2015

OFFICE OF  
CIVIL RIGHTS

Marianne Engelman Lado  
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Earthjustice  
48 Wall Street, 19<sup>th</sup> Floor  
New York, New York 10005


Arrowhead Investigation: EPA File No. 12R-13-R4

Dear Ms. Engelman Lado:

This communication is in response to your November 4, 2015, email to Jeryl Covington, Acting Assistant Director, External Compliance and Complaints Program, in which you request that the record in the Arrowhead investigation remain open until March 2016, in order to allow complainants additional time to provide supplemental information. Upon review and consideration of your request, the Office of Civil Rights (OCR) has decided to keep the investigation open for an additional 120 days beyond the date of this letter. (i.e., **March 8, 2016**). During this extended time period, complainants will need to identify and submit for interview the unnamed expert whom you indicated in your email will conduct additional soil and dust sampling, along with any related report that this individual produces. Also, any reports and information concerning any follow-up testing that [REDACTED] has purportedly conducted, should be submitted to OCR by **March 8, 2016**. On this date, OCR intends to close the investigation period.

Please be aware that OCR has taken significant steps to collect and analyze evidence in the Arrowhead complaint since accepting it on June 27, 2013, in order to complete its investigation in a timely and thorough manner. With respect to [REDACTED] in particular, OCR has been trying to secure her interview for a significant length of time. When [REDACTED] interview eventually went forward on October 29, 2015, the information she presented was not new information, but a copy of a presentation previously contained in OCR's investigation file. That being said, OCR remains focused on bringing the subject investigation to resolution, and will, within the extended time period, receive any additional evidence, as identified in your email which supports complainants' allegations and advances the case to an OCR determination.

Sincerely,

  
Velveta Golightly-Howell  
Director